

UNITED STATES BANKRUPTCY COURT
District of New Jersey

Caption in Compliance with D.N.J. LBR 9004-1(b)

Albert Russo
Cn 4853
Trenton, NJ 08650
(609) 587-6888

In re:

Michael Joseph Agolia
Lisa Rossi

Debtor(s)



Order Filed on December 19, 2017
by Clerk
U.S. Bankruptcy Court
District of New Jersey

Case No.: 16-13291 / MBK

Hearing Date: 11/14/2017

Judge: Michael B. Kaplan

Chapter: 13

AMENDED
ORDER CONFIRMING CHAPTER 13 PLAN

The relief set forth on the following pages, numbered two (2) through three (3) is **ORDERED**.

DATED: December 19, 2017

A handwritten signature in black ink, appearing to read "Michael B. Kaplan".
Honorable Michael B. Kaplan
United States Bankruptcy Judge

The plan of the debtor having been proposed to creditors, and a hearing having been held on the confirmation of such plan, and it appearing that the applicable provisions of the Bankruptcy Code have been complied with; and for good cause shown, it is

ORDERED that the plan of the above named debtor, dated 09/20/2017, or the last amended plan of the debtor be and it is hereby confirmed. The Standing Trustee shall make payments in accordance with 11 U.S.C. § 1326 with funds received from the debtor.

ORDERED that the plan of the debtor is confirmed to pay the Standing Trustee for a period of 60 months.

ORDERED that the debtor shall pay the Standing Trustee, Albert Russo, based upon the following schedule, which payments shall include commission and expenses of the Standing Trustee in accordance with 28 U.S.C. § 586:

\$3,400.00 for 60 months beginning 10/1/16

The balance of the plan shall be paid by the debtor(s) from non-exempt proceeds from sale of vacant lot located in Toms River, NJ, by 5/31/2018.

ORDERED that the case is confirmed at 100%, which includes a minimum of \$315,000.00 dividend to general unsecured creditors due to non-exempt equity in property.

ORDERED that the Standing Trustee shall be authorized to submit, ex parte, an Amended Confirming Order, if required, subsequent to the passage of the claims bar date(s) provided under Fed. R. Bank. P. 3002.

ORDERED that the debtor's attorney be and hereby is allowed a fee pursuant to the filed 2016(b) Statement. Any unpaid balance of the allowed fee shall be paid to said attorney through the Chapter 13 plan by the Standing Trustee.

ORDERED that if the debtor should fail to make plan payments or fail to comply with other plan provisions for a period of more than 30 days, the Standing Trustee may file, with the Court and serve upon the Debtor and Debtor's Counsel, a Certification of Non-Receipt of Payment and request that the debtor's case be dismissed. The debtor shall have fourteen (14) days within which to file with the Court and serve upon the Trustee a written objection to such Certification.

ORDERED that upon completion of the plan, affected secured creditors shall take all steps necessary to remove of record any lien or portion of any lien discharged.

ORDERED that the Standing Trustee is not authorized to pay post-petition claims filed pursuant to 11 U.S.C. § 1305(a).

ORDERED that the claim of Sheffield Financial, court claim #5-2, will be paid as if in the plan, and the Trustee is authorized to pay such claim.

ORDERED that the claim of Kearny Bank, court claim #19-1, will be paid as if in the plan, and the Trustee is authorized to pay such claim.

ORDERED as follows:

The claim of Wells Fargo Bank, NA, PACER Claim #39-1, will be paid as if in the plan, and the Trustee is authorized to pay such claim.

Creditor Toyota Motor Credit Corp., PACER Claim #42-1, received stay relief on 3/30/2017 on personal property more fully described as a 2012 Toyota Scion IQ; no arrears are to be paid through the Chapter 13 Plan; creditor will be paid outside of the Chapter 13 Plan.

The claims of Bunce D. Atkinson, Esq., PACER Claim #37-1 and Atkinson & DeBartolo, PC, PACER Claim #38-1, will be paid per filed Orders.

Debtor is free to obtain a Consent Order with creditor BMW Financial Services NA, LLC, PACER Claim #24-1, with regard to the unsecured deficiency claim filed by the creditor.